



ILLINOIS COMMERCE COMMISSION

March 15, 2004

Lincolnland Agri-Energy, LLC,
Petitioner,

Vs

Lamotte Township, Crawford County, Illinois, and The Indiana Rail Road
Company,
Respondents.

T04-0024

Petition for an order authorizing a new at-grade railroad spur crossing with
flashing signal lights at Lamotte Township Road 286A (also known as 1725th
Street), Palestine, Illinois.

Mr. Christopher Weber
Cox, Phillips, Weber, Tedford
& Heap, P.C.
216 South Cross Street
Robinson, IL 62454

Dear Mr. Weber:

Receipt is acknowledged of the original and three (3) copies of the Petition filed March 15, 2004 in
the above matter.

**All future correspondence/pleadings should be filed with an original and two (2) copies and
addressed to: Mr. Dave Lazarides, Acting Director of Processing, Illinois Commerce Commission,
527 E. Capitol Avenue, Springfield, IL 62701 or you may file electronically through E-Docket if you
have an account. To apply for an account, please log on to www.icc.state.il.us and apply for an E-
docket account.**

Processing and Information Section

kl

cc: Mr. Victor A. Modeer, IDOT
Mr. Emery Walker, LaMotte Township
Mr. Justin Childress, Crawford County
Mr. John Doeringer, INRD
Mr. Thomas Hoback, INRD
Mr. Dennis Lessard, LincolnLand Agri-Energy

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
SPRINGFIELD, ILLINOIS

RECEIVED
MAR 15 2004

Illinois Commerce Commission
RAIL SAFETY SECTION

LINCOLNLAND AGRI-ENERGY, LLC,)
)
Petitioner,)
)
vs)
)
LAMOTTE TOWNSHIP)
CRAWFORD COUNTY, ILLINOIS)

No. T04-0024

PETITION

Now comes the Petitioner, Lincolnland Agri-Energy, LLC (LLAE) by and through its attorney, Christopher L. Weber of Cox, Phillips, Weber, Tedford & Heap, P.C., and for its Petition for an order authorizing a new at-grade railroad spur crossing with flashing signal lights, states as follows:

1. Petitioner LLAE is an Association Organized Under The Illinois Agriculture Co-Operative Act (805 ILCS 315) doing business in the State of Illinois. LLAE owns and operates an ethanol production facility to process corn deliveries by members in Lamotte Township, Illinois. The facility will be used to receive corn by truck and rail, process the corn into ethanol and other by-products and ship the ethanol and by-products by truck and rail.

2. The Petitioner seeks to construct a new at-grade railroad spur crossing with flashing signal lights crossing Lamotte Township Road 286A for access to its facility.

3. The Illinois Commerce Commission has jurisdiction of the subject matter.

4. The single track spur of the Petitioner extends westerly from its switch with The Indiana Railroad Company main line approximately 750 feet east of Township Road 286A, crossing Township Road 286A 150 feet south of The Indiana Railroad Company's main line crossing of Township Road 286A, and extends 1600 feet onto the LLAE facility site before switching into a three (3) track siding and terminating approximately 500 feet further onto the site.

DOCKETED

MAR 15 2004

5. That Lamotte Township Road 286A would carry car and truck vehicular traffic to serve as access to LLAE and other industry located along this section of road. LLAE will require approximately 70 trucks per day for delivery of grain and other freight to the plant and for export of bi-products. It is estimated that the 10 year future growth of traffic to be using the proposed crossing will average 725 vehicles per day, being made up of 520 passenger units, 30 single axle units and 175 multi-axle units.

6. The railroad traffic for LLAE will normally consist of one (1) movement of approximately 10 cars into the facility daily at around 6:00 pm and one (1) movement of approximately 10 cars leaving the facility daily at around 6:30 pm. Ethanol will be one of the bi-products being shipped by rail.

7. That by reason of the volume of highway traffic and the time of day and the rail transportation of ethanol over the proposed crossing, said crossing would warrant flashing light signal protection.

8. That the installation of flashing light signals would be necessary in the interest of public safety.

Wherefore the Petitioner, Lincolnland Agri-Energy, LLC, prays to the Illinois Commerce Commission that it authorize Lincolnland Agri-Energy, LLC to install said crossing and flashing light signals at its railroad spur crossing with Township Road 286A, at Petitioner's expense all as described above and for such other and further relief as may be necessary.

The Petitioner does not feel that a public hearing is necessary, rather that the Commission can act on the petition on the basis of the information it has on hand from this petition, as well as its own records.

Lincolnland Agri-Energy, LLC

By:


CHRISTOPHER L. WEBER

COX, PHILLIPS, WEBER, TEDFORD & HEAP, P.C.
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Robinson, IL 62454
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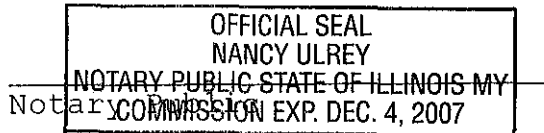
ATTESTATION

STATE OF ILLINOIS)
) SS
COUNTY OF CRAWFORD)

I, CHRISTOPHER L. WEBER, being first duly sworn on oath, depose and state that I am the attorney for Lincolnland Agri-Energy, LLC, in the above-captioned matter, that I have read the foregoing document, and the statements made herein are true, correct and complete to the best of my knowledge and belief.

Subscribed and Sworn to
before me this 11th day
of March, 2004

Nancy Ulrey
Signature



CERTIFICATION

I, CHRISTOPHER L. WEBER, attorney for Lincolnland Agri-Energy, LLC, certify that I have on this the 11th day of March, 2004 filed the original and three copies of the aforementioned Petition with the Illinois Commerce Commission and deposited in the United State mail an additional copy with the Lamotte Township Highway Commissioner, Emery J. Walker, 21312 E. 700th Ave., Palestine, IL 62451, and the County of Crawford's County Engineer, Justin Childress, RR #2, Box 635, Robinson, IL 62454.

Christopher L. Weber